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seed attorney(Renee Manes) became the [lead] representative of my appeal. My facing possible execution depicts her inexperience...need I say more!

h) The submittal of a sloppy "Forty Two" page brief(Reply Brief For Appellant) consisting of [127] typos by attorney Renee Manes obviously delineates carelessness, burnout, and apathy for this particular appeal. In one of your prior epistles (dated 11-29-00) Ms. Stratton, you clearly expressed that "The typos disturbed you too!

i) Allow me to recapitulate what I had explained in a previous missive(dated 11-0-6-00-Monday) mailed to you, Ms. Stratton, about the atypical succession of attorneys from your F.P.D.O:

1) Attorney Kate Rubin resigned due to an illness after less than a year, without ever notifying me(her client) or my family. In fact albeit Ms. Rubin switched to another law firm I found out [months] later that she had resigned from this appeal through word of mouth and afterwards from your office.

2) Attorney Julie Trachetti resigned less than "six months" after her appointment. However during the final visit Ms. Trachetti did have the decency to apprise me visavis that her resignation was due to her inability to handle this case and that it was too much! Moreover Ms. Trachetti was the [ONLY] attorney to admit that I was correct about her or anyone else from the F.P.D.O not being experienced enough to represent me in this appeal.

3) Attorney Janice Bergman(the most mysterious attorney) was assigned to this appeal. Unfortunately Ms. Bergman had never contacted me nor after repeated requests to attorneys Renee Manes/Julie Trachetti was I ever provided with information to contact her.

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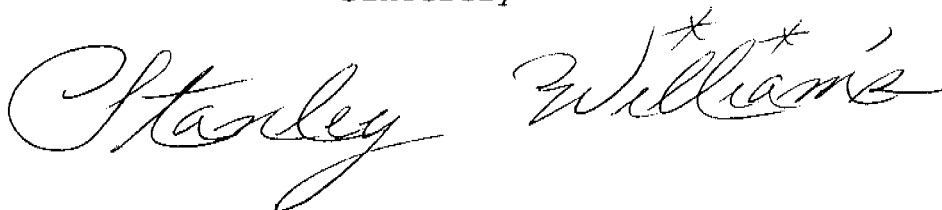
Page-4

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Sincerely

A handwritten signature in cursive script that reads "Stanley Williams". The signature is written in dark ink and is positioned below the word "Sincerely".

Stanley Williams

CC: Mary Schroder, Chief Judge Of The U.S Court Of Appeals For The Ninth Circuit.

ley Williams CR29300
Main State Prison 4-EB-62
San Quentin, CA, 94974

RECEIVED
THY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

OCT 23 2002

Ms. Maria Stratton,

10-17-02 Thursday

FILED

DOCKETED

DATE

FILED

99-99018 - 00-99001

In short this is a brief supplement to the previous epistle I mailed to you on October 2, 2002. By no means was my prior missive an attempt to disrupt the deadline for the petition. However, I am insisting that you, Ms. Stratton, succinctly include in the petition (without omitting other germane issues) a request of the Ninth Circuit Court to assign an independent counsel to evaluate my claims of ineffectiveness of the F.P.D.O (Federal Public Defender Office). Moreover mention that the F.P.D.O attorneys (Kate Rubin & Renee Manes) breached our documented attorney/client [written] agreement that I actively participate in the composing/suggestions for [all] petitions filed on my behalf! Notabene under advisement of other legal entities you, Ms. Stratton, are ethically obligated to honor your client's reasonable requests. This is requisite because it is highly unlikely and amoral for the F.P.D.O to investigate itself with parity.

Therefore, if at all possible I entreat of you, Ms. Stratton, and the F.P.D.O to not use my dissatisfaction to hinder the submittal of the due petition to the Ninth Circuit Court with all of the essential issues, including the aforementioned ones in this letter. Indeed your cooperation will be appreciated to the utmost! Thank you!!

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OCT 24 2002

PRO SE

Sincerely

Stanley Williams

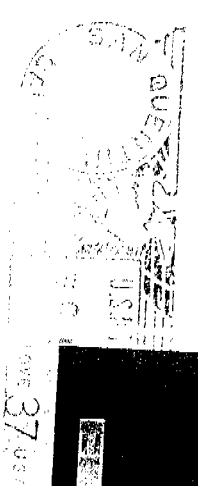
Stanley Williams

CC: Mary Schroder, Chief Justice Of The U.S Court of Appeals For The Ninth Circuit.

WILLIAMS
QUEBEC STATE PRISON 4-EB-63
QUEBEC, California, 94974

C# 29300

SAN FRANCISCO
POST OFFICE



EGAL MAIL *

THE CHIEF JUSTICE OF THE NINTH
CIRCUIT COURT OF APPEALS
CHIEF JUSTICE MARY SCHRODER
P.O. BOX - 193939
SAN FRANCISCO, CALIF. 94113

34113+3333 33

No. 99-99018

Related Case No. 00-99001

D.C No. CV 89-0327 SAW

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

STANLEY WILLIAMS III [IN PROPRIA PERSONA]

Petitioner-Appellant

v.

JEANNE WOODFORD,

RESPONDENT-APPELLEE

APPELLANT'S MOTION FOR SUBSTITUTION OF
COUNSEL, OR, IN THE ALTERNATIVE FOR
APPOINTMENT OF INDEPENDENT COUNSEL TO DETERMINE
IF DEFENDANT WAS DENIED HIS STATUTORY RIGHT TO
QUALIFIED COUNSEL.

STANLEY WILLIAMS C#29300

[IN PROPRIA PERSONA]

SAN QUENTIN STATE PRISON 4-EB-62

SAN QUENTIN, CALIFORNIA, 94974

RECEIVED
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

OCT 24 2002

FILED 10-24-02

DOCKETED 10-30-02

DATE

RECEIVED
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

OCT 24 2002

FILED _____
DOCKETED _____
DATE _____ INITIAL _____

Page-2

TO THE COURT:

October 21, 2002 Monday

Albeit I'm not an attorney, I am of sound mind, body, and soul. Still I entreat of the court to bear with me as I attempt to articulate the legal dilemma at hand. My name is Stanley Williams, and I'm a current death row client of the F.P.D.O(Federal Public Defender Office). Since the early appointment of the F.P.D.O I have steadfastly complained in re their inadequate representation; failure to honor their word; my distrust; and their failure to file [any] motion(s) to the court as I had wished and often suggested.

Being at wit's end I was obligated to write a brief letter to Chief Justice Mary Schroder(see Exhibit 1) to express my profound concern and my laborious mission for qualified counsel. Consequently the F.P.D.O sent me a copy of an "Order" filed by the Ninth Circuit Appellate Commissioner, Peter L. Shaw(see Exhibit A).

Eventually the F.P.D.O filed a "Response To Appellate Commissioner Shaw's Order" of January 29, 2001(see Exhibit B), which lacked the full spectrum of my grievances militated against them to warrant new counsel. I strongly believe that because of the F.P.D.O intentional omission of the other true facts it helped to mislead Commissioner Shaw to rule against me.

Notably, due to the permanent [distrust] and other credible reasons I have expressed to the F.P.D.O dating back to the early stages of their

OCT 24 2002

FILED _____
DOCKETED _____
DATE INITIAL

appointment by Judge Stephen Wilson, I'm compelled to file this motion
"In Propria Persona" to request the following:

a) Substitution of counsel I can trust.

b) Or appointment of counsel to determine whether I was denied my
statutory rights to qualified counsel; to counsel who are not operating
under a conflict of interest; and to determine whether there is a "due
process" violation of the 14th Amendment of the United States
Constitution.

DECLARATION OF STANLEY WILLIAMS III

I, Stanley Williams III, declare/state as follows:

1) I'm a condemned prisoner on San Quentin Prison's death row. By virtue of this motion I'm pleading for qualified counsel, and or, the alternative for assigned independent counsel to determine if I, the defendant, was denied my statutory right to qualified counsel...which I believe to be true.

2) In retrospect on November 12, 2000 I had written an epistle(see Exhibit 1) to the Ninth Circuit Court requesting appointment of substitute counsel. On January 29, 2001 the court ordered(see Exhibit A) the present F.P.D.O(Federal Public Defender Office) to respond.

3) On February 26, 2001 I received a legal visit from the F.P.D.O attorneys, Maria Stratton, and the current attorney Renee Manes. In that meeting(2/26/01) I once again expressed in detail my total distrust and discontent with their slipshod representation of my appeal; the submittal of a "42" page "Reply Brief For Appellant" by F.P.D.O attorney Renee Manes that had a total of [127] typos(see EXHIBIT "0"); and how their ineptness could possibly, GOD forbid, lead to my execution. During that same meeting attorneys Ms. Stratton and Ms. Manes agreed that my grievances were valid, and stated that immediate steps would be initiated to substitute F.P.D.O counsel.

4) On February 27, 2001 the F.P.D.O responded(see Exhibit B) to Commissioner Shaw's "Order" of January 29, 2001. Later on the F.P.D.O mailed me a copy(see Exhibit C) of the Commissioner Shaw's denial of my request for new counsel. Nonetheless the F.P.D.O refusal to admit their incompetence in this appeal, and their failure to list a memorandum of points & authorities to buttress my claims for new counsel clearly demonstrates lack of initiative. Since 1996 my quest to obtain qualified counsel has been tantamount to searching for the Philosopher's Stone or the Holy Grail.

Notabene: "Although in 2001 the F.P.D.O hired as a temporary consultant, attorney Ms. Gail Weinheimer, a veteran death penalty appellate counsel, by design her role was relegated to a role secondary to the inexperienced attorney Renee Manes who continues to spearhead my appeal. This of course in total spite of my objections, irreconcilable differences, distrust, and the F.P.D.O operating in this case appeal under the "conflict of interest."

5) ARGUMENTS FOR SUBSTITUTE COUNSEL OR FOR AN INDEPENDENT COUNSEL TO DETERMINE IF I, THE DEFENDANT, WAS DENIED MY STATUTORY RIGHT TO QUALIFIED COUNSEL:

(The following is a contextual list in re my legitimate concern)

a) In 1996 the F.P.D.O was given a [demonstrative] grant to set up a death penalty unit. The F.P.D.O lacked the experience to work on Capital Punishment case appeals, and I had the misfortune of being one of the first clients having to wait for months to receive representation.

Although I was promised by attorney Maria Stratton that highly qualified counsel would be assigned, the attorney hired to represent me was Renee Manes. Later on I found out Ms. Manes qualifications as a 7 year "Job Discrimination" lawyer did not merit her as being experienced or being highly qualified, especially to work on this complex appeal. I demurred to no avail!

b) The F.P.D.O failed to provide highly qualified & experienced counsel as promised to me when the office was appointed to this case appeal. In fact the F.P.D.O attorney Maria Stratton had to request of the Federal Judge, Stephen Wilson, for an extension stating that attorney Renee Manes wasn't experienced enough to handle my case without help, so she needed more time. This tidbit of information was kept hush hush from me until now, October 21, 2002.

c) There was a succession of F.P.D.O attorneys(see Exhibit 0) who for the most part proved to be equally as untrustworthy, unreliable, and unprofessional as attorney Renee Manes. Eventually I was apprised by attorney Renee Manes that the F.P.D.O lacked the essential funds to extensively investigate issues apropos to my appeal, and that I'd receive less legal visits, and absolutely no more attorneys would be hired to head the appeal or to replace attorney Renee Manes.

d) Attorney Renee Manes failed to follow through on her word as an attorney to me, her client. The F.P.D.O attorneys Renee Manes and Kate Rubin(Former appeal counsel for this appeal) breached a verbal/written "LEGAL CONTRACT"(see Exhibit 00) they jointly agreed upon with me, their

client(Stanley Williams).

The violation of the promise was evident in the attorneys(Ms. Rubin & Ms. Manes) misleading agreement to use my legal input in the appeal process, but instead deprived me of active participation. During the entire appointment to this case appeal both Renee Manes & Kate Rubin failed in their agreement to rectify in each submitted writ the illogical, untrue, conflictive, and spurious psychological analysis, including the hyperbolized background of my lifestyle.

In total spite of my repeated objections the entire bogus defensive strategy(Non-involvement in a street gang although there was available documentation to prove otherwise; a broken down family history; and me being mentally damaged) was fostered by devious minds based on negative black stereotypes and prevarications. Obviously in this appeal the former state appointed counsel, Bert Deixler, was the mastermind behind the legal atrocity. Needless to say though each assigned attorney(Jeannie Sternberg, Renee Manes, Kate Rubin, Julie Trachetti, and Michael O'Connor) agreed with me that the defensive strategy was bogus...they inferred it could save my life. I repeatedly & vehemently disagreed! Henceforth I have been deemed a hostile/difficult client!

e) From the moment I realized the treacherous tactics being initiated I immediately spoke out against it, but to no avail. For years I imparted to the Editor(Barbara Becnel) of my children's books about the absurd strategy but the F.P.D.O rejected Ms. Becnel's input and dismissed her accusations of sabotage. I must ask, how possibly can I, a death row defendant, be held accountable for a bogus defensive strategy, when I was duped, lied too, ignored, and totally excluded from active

participation in my own appeal? Indeed I am more than capable to noetically contribute to my appeal, because if that reality was untrue, then neither attorney Kate Rubin or Ms. Manes would have agreed to the attorney client document which was my uncompromising brainchild...that still didn't work!

f) There was a critical moment when attorneys Kate Rubin and Renee Manes expressed an urgency for me to sign a document to approve of its filing prior to the deadline which had to do with the AEDPA(Anti-terrorism And Effective Death Penalty) Provision. Both Ms. Rubin and Ms. Manes warned that if I didn't sign the document the appeal process would fall under the "AEDPA Provision" and my appeal process would be expedited. Moreover I was assured before/after signing the document and when it was filed that the bogus statements would be emended...again I was duped! If I can't trust the attorney who can I trust in this system?

g) There are only two ways I can view these impropriety; (1) The defensive tactic in this appeal was merely an experimental strategy concocted by the unconscionable attorney Bert Deixler then perpetuated by "C.A.P" & the "F.P.D.O," who assumed I was guilty, so there was no need to question the bogus defense. (2) Or from the outset the defensive tactic was in toto a smoke screen for sabotage by all appellate attorneys(Mr. Deixler, Ms. Sternberg, Ms. Manes, Ms. Rubin, Ms. Trachetti, and Mr. O'Connor) assigned to this case, with the exception of attorney Gail Weinhiemer.

6) The truth was revealed during a meeting(9-25-02) held in the F.P.D.O

with Ms. Barbara Becnel(Editor of my children's books) and a host of F.P.D.O attorneys/investigator(Bill Lazarow, Dean R. Gits, Margo Rocconi, Debra Garvey, Monica Knox, and Renee Manes). Ms. Becnel is a witness to attorney Ms. Manes' statement in her own words; "The entire defense for Stanley Williams' appeal was an idiotic strategy first initiated by former State Appellate Attorney Bert Deixler; further exacerbated by C.A.P(California Appellate Project) assigned to this appeal, then passed down to the F.P.D.O." In fact Ms. Manes placed all the blame on Bert Deixler and C.A.P attorney Ms. Jeannie Sternberg. Conveniently Ms. Manes excluded herself and the F.P.D.O from being inept despite following through with the fallacious strategy while ignoring my objections.

7) In another demonstration of the F.P.D.O operating under the conflict of interest was the strategy discussed during the same meeting of September 25, 2002(see EXHIBIT 2, Page-2 "e"). The topic centered around me expressing contrition for the crimes I did not commit, if it came down to a Clemency Hearing. In a letter(see EXHIBIT 2, Page-2 "e") I apprised attorney Maria Stratton that "I WILL NEVER EVER ADMIT TO [ANY] CRIMES I DID NOT COMMIT NOR WILL I EVER SIGN A DOCUMENT OF SUCH AN AGREEMENT...NOT EVEN TO SAVE MY LIFE! I must ask the court how possibly could I be afforded fair representation when the attorneys are working under the belief that I'm culpable of the Capital offenses...despite my pleas of innocence?

8) From the early stages of the F.P.D.O appointment to this appeal in 1996 to October 21, 2002, there continues to be a total break down in

communications and a conflict of interests. Therefore since attorney Renee Manes repeatedly refuses to use any of my legal issues/suggestions, I as a layman must rely upon perhaps an archaic memorandum of points & authorities in (People V. Tucker(64) 6] Cal. 2d 828, 832). Please keep in mind I'm not an attorney.

9) Moreover distrust of the F.P.D.O/attorney Renee Manes violated my right to an attorney I can trust. People V. Davis, 48 Cal. 2d 241, 309 P. 2d 1. Harris V. Superior Court, (77) 19 Cal. 3d 786, 140 CR 318; People V. Harris, (77) 65 C.A 3d 978, 135 CR 668; Smith V. Superior Court, 68 CR 1, 10, 440 P.2d 65. I believe it is my right to have private counsel appointed when a conflict exists with a public defender. People V. Williams, (67) 252 C.A 2d 147, 59 CR 905. Whether the memorandum of points & authorities are extant or passe, I have mentioned more than the F.P.D.O included in their motion for new counsel!

10) I find it requisite to inquire as to why I.A.C(Inefective Assistance Of Counsel) is only applicable to a trial attorney, but not to a state or federal appellate attorney, even if his/her neglect and ineptness are blatantly obvious, callous, and perhaps bias?

CONCLUSION:

I beseech of the court to grant me substitution of counsel, or, in the alternative for appointment of independent counsel to determine if I, the defendant was denied my statutory right to qualified counsel. Thank You!

I declare under the penalty of perjury that to the best of my knowledge
the foregoing is true and factual...so help me GOD!

Stanley Williams III C#29300

San Quentin State Prison 4-EB-62

San Quentin, California, 94978

Stanley Williams III
October 21, 2002

The Chief Justice of the Ninth circuit
Court of Appeals
Chief Justice Mary Schroder
PO.Box 193939
San Francisco, Ca, 94119-3939

Dear Chief Justice Mary Schroder,

11/12/00-Sunday

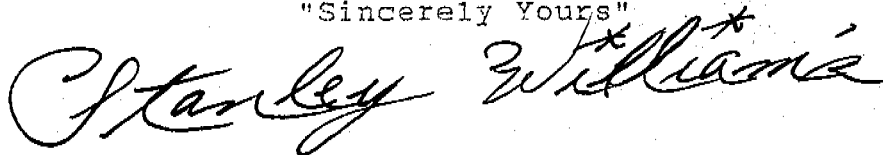
Enclosed is a facsimile of a "legal letter" forwarded to Ms. Maria E. Stratton of the "Federal Public Defender" Office.

I am extending this cover missive to you, Ms. Schroder, to impart my diligent pursuit of a "legal team," to represent me on the federal level. I felt it necessary to apprise a higher level of authority in the federal appeal process.

Notably, I've had a total of "5" federal appeal attorneys from the "Federal Public Defender Office...they all quit for one reason or another! Therefore, I'm obligated to pursue new death penalty appeal representation elsewhere. Moreover, this is not a feeble attempt to tarry the appeal, but rather, to assure myself of the best representation I'm able to obtain.

Indeed, I thank you, Madam Mary Schroder, in advance for your consideration of these matters.

"Sincerely Yours"

A handwritten signature in cursive script that reads "Stanley Williams". There are two small asterisks above the "i" in "Williams".

Stanley Williams

Stanley Williams

No. 99-99018

D.C. No. CV 89-0327 SVW

Stanley Williams C#29300

San Quentin State Prison 4-EB-62

San Quentin, CA, 94974

Ms. Maria Stratton,

10-1-02-Tuesday

Indeed I find it paramount to extend this brief missive to remind you that the current devastating ruling from the Ninth Circuit clearly states culpability, at least in part, on work for which the Federal Public Defender's Office was responsible. Consequently it caused me to lose many critical issues(see the entire Ninth Circuit Court opinion by Judge Hug) that GOD FORBID may result in my execution.

a) Foremost I'm aware of the meeting held at the F.P.D.O(Federal Public Defender's Office) on thursday(10-10-02) with attorney Ms. Gail Weinheimer. During the meeting you agreed to notify the Ninth Circuit Court to remove the F.P.D.O based on the fact that the trust between me(the client) and the F.P.D.O has been irreconcilable.

b) Therefore I find it necessary Ms. Stratton to once again take you up on that offer.

c) I entreat of you Ms. Stratton to forward me a copy of the document that you plan to submit to the Ninth Circuit in re the F.P.D.O removal from this appeal case. Quite naturally you can understand the need to send the document to the Ninth Circuit Court" as quickly as possible to afford me an [innocent] man the best possible chance of securing professional legal representation and therefore receiving justice.

d) Admittedly I do appreciate the willingness to remove yourself from this appeal. Nevertheless I am highly disappointed that you & your

F.P.D.O are only prepared to admit to the irreparable breach of trust between [me] and your office, when there are so many issues that have fed the mistrust that you are not willing to acknowledge.

e) To outset comment on the recent meeting(9-25-02-Wednesday) held in the F.P.D.O with Ms. Becnel and a cast of F.P.D.O attorneys/investigator(Bill Lazarow, Margo Rocconi, Dean R. Gits, Debra Garvey, Monica Knox, and Renee Manes). During the conference there was a developing unethical & offensive strategy suggesting that if it came down to a possible "Clemency Hearing" I should express contrition. Notabene Ms. Stratton; "I AM INNOCENCE DESPITE ANY PRECONCEIVED NOTIONS OF CULPABILITY THAT THE F.P.D.O/Ms. Manes MAY HARBOR. I WILL NEVER EVER ADMIT TO [ANY] CRIMES I DID NOT COMMIT NOR WILL I EVER SIGN A DOCUMENT OF SUCH AN AGREEMENT...NOT EVEN TO SAVE MY LIFE!

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i) Allow me to recapitulate what I had explained in a previous missive(dated 11-0-6-00-Monday) mailed to you, Ms. Stratton, about the atypical succession of attorneys from your F.P.D.O:

1) Attorney Kate Rubin resigned due to an illness after less than a year, without ever notifying me(her client) or my family. In fact albeit Ms. Rubin switched to another law firm I found out [months] later that she had resigned from this appeal through word of mouth and afterwards from your office.

2) Attorney Julie Trachetti resigned less than "six months" after her appointment. However during the final visit Ms. Trachetti did have the decency to apprise me visavis that her resignation was due to her inability to handle this case and that it was too much! Moreover Ms. Trachetti was the [ONLY] attorney to admit that I was correct about her or anyone else from the F.P.D.O not being experienced enough to represent me in this appeal.

3) Attorney Janice Bergman(the most mysterious attorney) was assigned to this appeal. Unfortunately Ms. Bergman had never contacted me nor after repeated requests to attorneys Renee Manes/Julie Trachetti was I ever provided with information to contact her.

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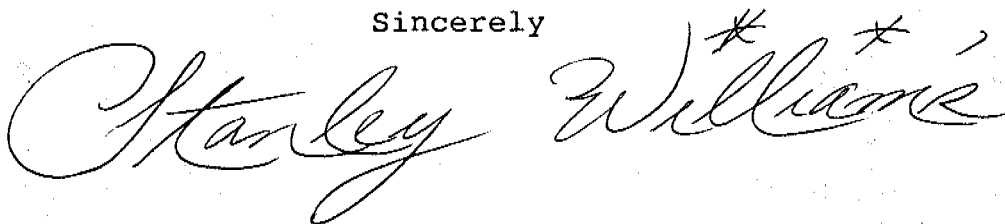
Page-4

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5) Unequivocally Ms. Stratton I strongly believe this appeal has been sabotaged, be it due to malicious intent or by virtue of outright ineptitude. Whether admitted or not I'm convinced that in your heart you know that an injustice has been perpetrated across the board in my appeal. I pray in earnest that you, Ms. Stratton, and or attorney Renee Manes will do what is legally ethical to rectify this matter at hand!

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Sincerely

A handwritten signature in cursive script that reads "Stanley Williams". The signature is written in dark ink and includes two small asterisks above the final part of the name.

Stanley Williams

CC: Mary Schroder, Chief Judge Of The U.S Court Of Appeals For The Ninth Circuit.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JAN 29 2001

GATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

STANLEY WILLIAMS,

Petitioner - Appellant,

v.

JEANNE WOODFORD, Warden,

Respondent - Appellee,

No. 99-99018

D.C. No. CV-89-00327-SVW
C. D. Cal.

ORDER

Before: Peter L. Shaw, Appellate Commissioner

The Court has received Appellant's pro se letter of November 12, 2000, which appears to request the appointment of new counsel. Appellant's current counsel shall file in this court a response to that letter by February 13, 2001.


General Orders 6.3(e)

O:\AppComm\Orders\ep1er\99-99018

No. 99-99018
Related Case No. 00-99001
D.C. No. CV 89-0327 SAW

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

STANLEY WILLIAMS, JR.

Petitioner-Appellant

v.

ARTHUR CALDERON
[JEANNE WOODFORD],

Respondent-Appellee

ON APPEAL FROM THE JUDGMENT OF THE
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

**RESPONSE TO APPELLATE COMMISSIONER SHAW'S
ORDER OF JANUARY 29, 2001**

Maria E. Stratton, Ca. Bar No. 90986
Federal Public Defender
C. Renée Manes, Ca. Bar No. 158528
Deputy Federal Public Defender
321 East Second Street
Los Angeles, CA 90012
(213) 894-2854

TO THE COURT:

The Federal Public Defender, current counsel for Appellant Stanley Williams, have met with Mr. Williams to discuss his representation before this court pursuant to the Order of January 29, 2001. As discussed in the following declaration, current counsel request that new counsel be substituted into this matter, and suggest the appointment of Ms. Gail Weinheimer and Ms. Marcia Morrissey, both of whom are qualified and willing to accept the appointment to represent Mr. Williams.

Briefly, Mr. Williams believes, and current counsel agree, that there has been a irreparable breakdown in the relationship between current counsel and Mr. Williams, and that Mr. Williams and current counsel are unable to communicate regarding this matter. Mr. Williams requests that alternate counsel be appointed, and specifically requests the appointment of:

Ms. Gail Weinheimer
862 Sir Francis Drake Blvd., No. 245
San Anselmo, CA 94960
Telephone: (415) 488-4876
Facsimile: (415) 488-4151


and:

Ms. Marcia A. Morrissey
2115 Main Street
Santa Monica, CA 90405
Telephone: (310) 399-3259
Facsimile: (310) 399-1173

Current counsel have conferred with Ms. Weinheimer and Ms. Morrissey, and they are willing to undertake the representation of Mr. Williams. Ms. Weinheimer and Ms. Morrissey are both experienced in capital litigation.

Dated: February 27, 2001

Maria E. Stratton
Federal Public Defender

By: 
C. Renée Manes
Deputy Federal Public Defender

Attorneys for Petitioner-Appellant
STANLEY WILLIAMS, JR.

DECLARATION OF MARIA E. STRATTON

I, Maria E. Stratton, declare and state as follows:

1. I am the Federal Public Defender for the Central District of California.

I am a member of the bar of this court. My office is counsel of record for appellant Stanley Williams who is currently appealing the denial of his petition for writ of habeas corpus. By his petition Mr. Williams challenged his conviction and judgment of death in the Superior Court of Los Angeles County.

2. On November 12, 2000, appellant Stanley Williams wrote to the court requesting appointment of substitute counsel. On January 29, 2001, the court ordered counsel for appellant, the office of the Federal Public Defender to respond. This declaration is counsel's response to the court. Since Mr. Williams wrote the court, I have visited Mr. Williams twice and Ms. Manes has visited twice to try to resolve our differences.

3. The office of the Federal Public Defender was appointed as appellant's counsel on January 22, 1996, to prosecute appellant's petition for writ of habeas corpus. We were appointed after appellant's exhaustion petition had been denied by the California Supreme Court.

4. On February 26, I met with appellant at the California State Prison at San Quentin. Also with Mr. Williams was Deputy Federal Public Defender C. Renée

Manes. Mr. Williams reiterated his desire for new counsel, citing an irreparable breakdown of the attorney-client relationship with Ms. Manes and me. At the conclusion of our visit, Ms. Manes and I concluded that our relationship with Mr. Williams had deteriorated to the point that we felt it could not be repaired and that appointment of new counsel would further the interests of justice. Although my office typically takes no position on whether substitute counsel should be appointed, I do feel it necessary to advise the court that in our professional judgment, our attorney-client relationship with Mr. Williams is such that appointment of new counsel would best further the litigation, serving the interests of both the court and appellant.

5. As the person delegated by the court to assign counsel on appeal for indigent individuals appointed counsel under the Criminal Justice Act, I have investigated the availability of substitute counsel experienced in capital habeas matters and qualified as "learned counsel" under 21 U.S.C. § 848q. Gail Weinheimer and Marcia Morrissey are both experienced capital habeas attorneys. Both are available to accept appointment on appeal in this matter. (Under 21 U.S.C. § 848q, appointment of two attorneys in a capital habeas action is recommended.) Both request a period of six months to get familiar with the issues on appeal.

6. On February 26, 2001, Mr. Williams told me that he would gratefully embrace the appointment of Ms. Weinheimer and Ms. Morrissey.

7. Gail Weinheimer's address information is:

862 Sir Francis Drake Blvd., No. 245
San Anselmo, CA 94960
Telephone: (415) 488-4876
Facsimile: (415) 488-4151

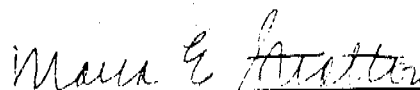
8. Marcia Morrissey's address information is:

2115 Main Street
Santa Monica, CA 90405
Telephone: (310) 399-3259
Facsimile: (310) 399-1173

9. This request is not made for the purposes of delay nor to harass the court or opposing counsel. Mr. Williams is in custody on death row at San Quentin State Prison.

10. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 26th day of February, 2001 at Los Angeles, California



Maria E. Stratton
Federal Public Defender

DECLARATION OF SERVICE

Case Name: Williams v. Calderon

Case No.: 99-99018

Related Case No. 00-99001

D.C. No. CV 89-0327 SVW

I, **C. Kevin Reddick** declare that I am a resident or employed in Los Angeles County, California; my business address is the Office of the Federal Public Defender, 321 East Second Street, Los Angeles, California 90012; I am over the age of eighteen years; I am not a party to the action entitled below; I am employed by the Federal Public Defender for the Central District of California, and a member of the Bar of the United States District Court for the Central District of California, and I served a copy of the attached **RESPONSE TO APPELLATE COMMISSIONER SHAW'S ORDER OF JANUARY 29, 2001** on the following individual(s) by:

☐ Placing same in a sealed envelope for collection and interoffice delivery addressed as follows:

☐ Placing same in an envelope for hand-delivery addressed as follows:

☒ Placing same in a sealed envelope for collection and mailing via the United States Post Office, addressed as follows:

☐ Faxing same via facsimile machine addressed as follows:

LISA BRAULT

Deputy Attorney General
State of California, Department of Justice
300 South Spring Street, Suite 500
Los Angeles, California 90013

This proof of service is executed at Los Angeles, California, on **March 2, 2001**.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



C. KEVIN REDDICK

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR - 6 2001

KATHY A. GATTERSON, CLERK
U.S. COURT OF APPEALS

STANLEY WILLIAMS,

No. 99-99018

Petitioner - Appellant,

D.C. No. CV-89-00327-SVW
C. D. Cal.

v.

JEANNE WOODFORD, Warden,

ORDER

Respondent - Appellee,

Before: Peter L. Shaw, Appellate Commissioner

Appellant requested substitution of counsel after the briefing was completed based on appellant's complaint that counsel's briefing contains numerous typographical errors. The court will carefully consider the merits of appellants' appeal regardless of typographical errors. Accordingly, appellant's request for substitution of counsel is denied.



General Orders 6.3(e)

Stanley Williams C#29300
San Quentin State Prison 4-EB-70
San Quentin, California, 94974

Dear Ms. Maria Stratton,

11/6/00-Monday

In essence, this missive is to memorialize the event having taken place during a recent legal visit. Needless to say, from the incipency, Ms. C. Renée Manes and I were at odds. Obviously, the conflict of interest is ongoing, and seeing eye-to-eye was never possible!

1) On November 11, 2000-Monday, Ms. Manes and I strongly disagreed about the existence of typos being in the recent brief(Reply Brief For Appellant). I asked Ms. Manes whether or not she noticed any typos in the legal brief, which she responded "no." I questioned how possibly could she miss [125] typos, then I proceeded to show her page by page the very visible typos. Shrugging it off, Ms. Manes stated that "those were not typos," but rather, a glitch in her machine. I apprised Ms. Manes that despite the word play with semantics, the [125] errors are typos.

2) Notably, the "Webster's 3rd Edition Dictionary" defined verbatim, a typo as being: "an error printed or typewritten matter resulting from a mistake in typing or from mechanical failure." End of quote! Moreover, I mentioned that the 9th circuit court judges, will use the [125] typos against me. Ms. Manes disagreed and stated that court judges do not use typos against the appellants.

3) In a further discussion anent the typos, I segued into an article in the San Francisco Chronicle(11/3/00-Friday) entitled; "Lawyer Admits Sabotaging Appeal of Death-Row Inmate He didn't Like." Ms. Manes asked was that the way I felt? My response was yes, it sure looks like that! Ms. Manes asked why don't I get myself another attorney? That's when I stated "as soon as I can find another attorney, I will." Ms. Manes stated "you don't have to wait, I can resign now! Ergo, I accepted her resignation on the spot, then called an officer to terminate the visit. This missive is to express my side of the event, to hopefully preclude a unilateral version'

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4) Moreover, in the "Opening Brief For Appellant(dated; 8/21/00) filed by attorney Renée Manes, she [overlooked] typos where parts of a paragraph/bottom foot note of page (26) are on page (28). Also, the paragraph/single obscure line of page (27) are on page (28). The bottom line of page (28) & the upper page of (29) are two incomplete sentences that segued solecistically into one another.

5) In retrospect, there were other unprofessional attorneys from your office, assigned to my case. Each attorney averred he/she, were committed to representing me, to quote, unquote, "win your case." But they all resigned! A) Attorney Kate Rubin resigned after less than a year, without ever notifying me, her client, or my family. In fact, I found out second hand [months] later that Ms. Rubin had resigned. Albeit I wrote her a missive, she never responded. B) Attorney Julie Trachetti resigned less than "six months." However, during the final legal visit she did mention resigning, because she could not handle the case, it was too much. Moreover, Ms. Trachetti acknowledged that I was correct about her not being experienced enough for my case. C) Attorney Janice Bergman(the most mysterious attorney), was supposedly assigned to my case. Nevertheless, she moved to another state where I was told she would still be working on my case. Unfortunately, Ms. Bergman has never contacted me, nor was I ever provided with information to contact her, in this state, or any other state. D) Attorney Michael O'Connor resigned after less than a year, to pursue a "9 month" program in Ireland. Prior to representing me, Mr. O'Connor knew his departure was imminent, yet, chose to withhold pertinent information from me, and my family. Had I known beforehand about Mr. O'Connor's planned exodus, I would not have expected long term participation on his part. I was duped!

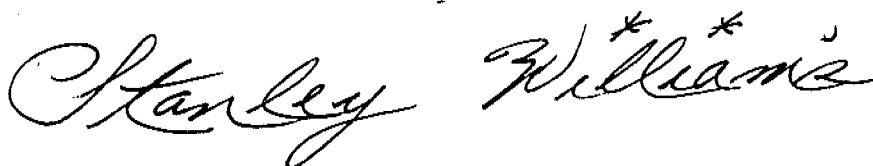
6) Consequently, I was apprised that the Federal Public Defender's Office would be searching for another attorney to represent me along with Attorney Renée Manes. After "9 months" had passed, Ms. Manes imparted to me that due to the Federal Public Defender Office's "lack of funds," there would be fewer legal visits, and no more attorneys assigned to my case. As it turned out, the second seed attorney(Ms.

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Manes) would not only be the [lead] attorney, but the sole attorney working on my case. Ms. Manes proved my fears with the ultimate example of her inexperience, in filing a legal brief with [125] typos, and a prior legal brief with typos. In fact her lack of professionalism demonstrates more than a disdain for me, but also, a disdain for the 9th Circuit court.

7) Hence forth, I shall seek representation as per the suggestion of Ms. Manes. The gross demonstrations of negligence is so axiomatic, I'm prone to believe it was sabotage' In all honesty Ms. Stratton, how can I possibly have faith/trust in such aforementioned attorneys. Therefore, I entreat of you Ms. Stratton [not] to assign another attorney to this case from your office...I will not acknowledge him/her. My decision is not open to discussion. I'm confident that I will locate an attorney(s), who is willing to fight for my life/innocence...and not jeopardize or end my life!!!! Thank you'

"Sincerely"

A handwritten signature in cursive script that reads "Stanley Williams". The signature is written in dark ink and is positioned above the printed name.

Stanley Williams

CC: Mary Schroder, Chief Judge Of The U.S Court Of Appeals For The 9th Circuit.

DRAFT

ATTORNEY-CLIENT COMMUNICATION
PRIVILEGED AND CONFIDENTIAL

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H. DEAN STEWARD
DIRECTING ATTORNEY
SANTA ANA OFFICE

OSWALD PARADA
DIRECTING ATTORNEY
RIVERSIDE OFFICE

Direct Dial: 213/894-7519

August 22, 1996

Stanley Williams
P.O. Box No. C-29300
California State Prison
at San Quentin
San Quentin, CA 94974

Dear Stanley:

I am writing to confirm and give additional detail to the discussions that you and I have had about our working relationship. In writing this, I speak for the entire legal team in your case, which includes the attorneys, investigators, paralegals and secretarial staff.

As your legal team, we are committed to representing you to the very best of our ability. We want to win your case. We

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ATTORNEY-CLIENT COMMUNICATION
PRIVILEGED AND CONFIDENTIAL

Stanley Williams
August 22, 1996
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believe in your case and in you. In order to represent you to the best of our ability, your cooperation and consultation with us is essential.

We will have regular meetings with you, every 3 to 4 weeks, so that we can share ideas, update you on recent developments, and consult with you about all of the work on your case including briefing, hiring of experts, and investigation; and, so that you can keep us informed of any issues of which you are aware that may become relevant in your case. These meetings will be an open and honest exchange of information and ideas, and will be undertaken with the utmost professionalism, courtesy, and respect between you and your legal team.

We will discuss all substantive pleadings with you before they are filed unless an emergency or other urgent situation makes it impracticable to do so. We will promptly give you a copy of the pleadings that we file with the court.

We will send you a copy of your state court transcripts as soon as they are available. We will send you another copy of those portions of the murder book that we have obtained. We will

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ATTORNEY-CLIENT COMMUNICATION
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onley Williams
August 22, 1996
Page 3

We will make every effort to obtain the complete district attorney file, ensure that we already have the complete murder book, and to obtain all other documents that are or may become relevant to our case. We will keep you updated on the progress of these efforts and share this information with you promptly. We will provide you with as much access to the pleadings and other files in this matter as is reasonably possible. Further, we will provide you with copies of the legal authorities which we believe are relevant to your petition, or which you may request.

It is our goal that by consulting with you, discussing pleadings and pleadings with you, and providing you with the relevant materials and legal authorities, you will be an active, fully participating, member of your legal team.

In addition to using the resources of our office, we will consult with other attorneys and other experts in order to benefit from the greatest amount of expertise available to help win your case. We welcome your ideas about whom you would like us to consult for assistance.

We hope that this letter will be a helpful step in building